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SERVICE DATE – LATE RELEASE MAY 4, 2018

SURFACE TRANSPORTATION BOARD

ORDER OF PRESIDING ADMINISTRATIVE LAW JUDGE ON JOINT MOTION TO  
REDUCE THE FREQUENCY OF STATUS REPORTS

Docket No. NOR 42144

NORTH AMERICA FREIGHT CAR ASSOCIATION; AMERICAN FUEL &  
PETROCHEMICALS MANUFACTURERS; THE CHLORINE INSTITUTE; THE  
FERTILIZER INSTITUTE; AMERICAN CHEMISTRY COUNCIL; ETHANOL PRODUCTS,  
LLC D/B/A POET ETHANOL PRODUCTS; POET NUTRITION, INC.; AND CARGILL  
INCORPORATED v. UNION PACIFIC RAILROAD COMPANY

Docket No. NOR 42150

VALERO MARKETING AND SUPPLY COMPANY  
AND VALERO RAIL PARTNERS, LLC v. UNION PACIFIC RAILROAD COMPANY

Docket No. NOR 42152

TESORO REFINING & MARKETING COMPANY LLC;  
TESORO GREAT PLAINS GATHERING & MARKETING, LLC;  
AND DAKOTA PRAIRIE REFINING, LLC v. UNION PACIFIC RAILROAD COMPANY

Docket No. NOR 42153

ARKEMA INC. v. UNION PACIFIC RAILROAD COMPANY

Decided: May 3, 2018

At a status conference on April 19, 2017, I directed complainants Valero Marketing and Supply Company and Valero Rail Partners, LLC, Tesoro Refining & Marketing Company LLC, Tesoro Great Plains Gathering & Marketing LLC, and Dakota Prairie Refining, LLC, and defendant Union Pacific Railroad Company (collectively, Movants) to file consolidated status reports on a weekly basis. To this date, Union Pacific and the complainants in these consolidated proceedings have been filing separate bi-weekly status reports.

On May 3, 2018, Movants submitted a joint motion to modify their obligation to file status reports on discovery progress. As support for their motion, Movants state that the Valero entities and Tesoro entities report they have completed all their outstanding discovery obligations to Union Pacific. And, similarly, Union Pacific reports it has completed all its outstanding discovery obligations to the Valero entities and the Tesoro entities. Accordingly, Movants request modification of the consolidated weekly status reporting obligation to allow the Valero

entities and Tesoro entities to reduce their reporting to a monthly basis, and to allow Union Pacific to return to reporting on a bi-weekly basis.

It is ordered:

1. Based on the foregoing, Movants' joint motion is hereby granted.
2. This decision is effective on its date of service.

By the Board, John P. Dring, Administrative Law Judge.